

OFFICIALS

Joe Stear, Mayor
Briana Buban-Vonder Haar, Council President
Richard Cardoza, Council Member
Warren Christensen, Council Member
Greg McPherson, Council Member



CITY OF KUNA
Kuna City Hall Council Chamber, 751 W 4th Street, Kuna, Idaho 83634

City Council Meeting
MINUTES
Tuesday, January 7, 2020

6:00 P.M. REGULAR CITY COUNCIL

1. Call to Order and Roll Call

COUNCIL MEMBERS PRESENT:

Mayor Joe Stear
Council President Briana Buban-Vonder Haar
Council Member Richard Cardoza
Council Member Warren Christensen
Council Member Greg McPherson

CITY STAFF PRESENT:

Bob Bachman, Public Works Director
Jared Empey, City Treasurer
Chris Engels, City Clerk
Bill Gigray, City Attorney
Lisa Holland, Economic Development Director
Wendy Howell, Planning & Zoning Director
Nancy Stauffer, Human Resources Director
Bobby Withrow, Parks Director
Troy Behunin, Planner III
Ariana Welker, Deputy City Clerk
Jace Hellman, Planner II
Carlee Oswald, Energy Conservation Specialist/Public Works Administrator

2. Invocation: None

3. Pledge of Allegiance: Mayor Stear

4. Consent Agenda: ALL OF THE LISTED CONSENT AGENDA ITEMS ARE ACTION ITEMS (Timestamp 00:00:48)

All items listed under the Consent Agenda are considered to be routine and are acted on with one motion by the City Council. There will be no separate discussion on these items unless the Mayor, Council Member, or City Staff requests an item to be removed from the Consent

NOTICE: Copies of all agenda materials are available for public review in the Office of the City Clerk. Persons who have questions concerning any agenda item may call the City Clerk's Office at 922-5546. In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk at 922-5546 at least forty-eight (48) hours prior to the meeting to allow the City to make reasonable arrangements to ensure accessibility to this meeting.

Agenda for discussion. Items removed from the Consent Agenda will be placed on the Regular Agenda under Business or as instructed by the City Council.

A. City Council Meeting Minutes

1. Regular City Council Minutes, December 3, 2019
2. Special City Council Minutes, December 20, 2019

B. Accounts Payable Dated January 2, 2020

1. Consideration to ratify Accounts Payable Report for November 27, 2019 through December 12, 2019 in the amount of \$550,634.34
2. Consideration to approve Accounts Payable Report for December 13, 2019 through January 2, 2020 in the Amount \$288,425.56

Council President Buban-Vonder Haar moved to approve the consent agenda. Seconded by Council Member McPherson. Approved by the following roll call vote:

Voting Aye: Council Members Cardoza, Christensen, Buban-Vonder Haar, and McPherson

Voting No: None

Absent: None

Motion carried: 4-0

6. *Swearing in of Newly Re-Elected Officials Joe Stear, Briana Buban-Vonder Haar and Greg McPherson*
(Timestamp 00:01:23)

Chris Engels, City Clerk swore in Joe Stear as Mayor and Briana Buban-Vonder Haar and Greg McPherson as Council Members.

7. *Recess for Change of Council*
(Timestamp 00:04:56)

OFFICIALS

Joe Stear, Mayor
Briana Buban-Vonder Haar, Council President
Richard Cardoza, Council Member
Warren Christensen, Council Member
Greg McPherson, Council Member



CITY OF KUNA
Kuna City Hall Council Chamber, 751 W 4th Street, Kuna, Idaho 83634

City Council Meeting
AGENDA
Tuesday, January 7, 2020

1. Reconvene Council Meeting
(Timestamp 00:04:56)

2. Call to Order and Roll Call

COUNCIL MEMBERS PRESENT:

Mayor Joe Stear
Council Member Briana Buban-Vonder Haar
Council Member Richard Cardoza
Council Member Warren Christensen
Council Member Greg McPherson

CITY STAFF PRESENT:

Bob Bachman, Public Works Director
Jared Empey, City Treasurer
Chris Engels, City Clerk
Bill Gigray, City Attorney
Lisa Holland, Economic Development Director
Wendy Howell, Planning & Zoning Director
Nancy Stauffer, Human Resources Director
Bobby Withrow, Parks Director
Troy Behunin, Planner III
Jace Hellman, Planner II
Carlee Oswald, Energy Conservation Specialist/Public Works Administrator

3. Elect Council President Action Item
(Timestamp 00:05:27)

Council Member McPherson nominated Council Member Buban-Vonder Haar for Council President.

Council Member Buban-Vonder Haar accepted.

Council Member Cardoza seconded the nomination.

Council Member McPherson moved to elect Council Member Buban-Vonder Haar as Council President. Seconded by Council Member Cardoza. Motion carried 4-0.

4. Consent Agenda (Continued): ALL OF THE LISTED CONSENT AGENDA ITEMS ARE ACTION ITEMS
(Timestamp 00:06:16)

All items listed under the Consent Agenda are considered to be routine and are acted on with one motion by the City Council. There will be no separate discussion on these items unless the Mayor, Council Member, or City Staff requests an item to be removed from the Consent Agenda for discussion. Items removed from the Consent Agenda will be placed on the Regular Agenda under Business or as instructed by the City Council.

C. Resolutions

1. Consideration to approve Resolution No. R95-2019

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO APPROVING THE PERPETUAL CITY OF KUNA WATER MAIN EASEMENT AGREEMENT WITH BLACK CREEK LIMITED PARTNERSHIP; AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND THE CITY CLERK TO ATTEST TO SAID SIGNATURE.

2. Consideration to approve Resolution No. R96-2019

CITY CAPITAL IMPROVEMENT AND LATECOMER REIMBURSEMENT POLICY – 2019

3. Consideration to approve Resolution No. R03-2020

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO APPOINTING MEMBERS FOR TO THE CITY OF KUNA, IDAHO JOINT DEVELOPMENT IMPACT FEE ADVISORY COMMITTEE FOR THE CITY POLICE DEPARTMENT AND KUNA RURAL FIRE DISTRICT FOR THE YEAR 2020.

4. Consideration to approve Resolution No. R04-2020

A RESOLUTION OF THE CITY COUNCIL OF KUNA, IDAHO APPROVING THE STATE/LOCAL AGREEMENT (DESIGN AND CONSTRUCTION) FOR PROJECT NO. A020 (143) MAIN STREET- AVENUE C TO AVENUE A, KUNA, ADA COUNTY, IDAHO, KEY NO. 20143; AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND THE CLERK TO ATTEST TO SAID SIGNATURE.

5. Consideration to approve Resolution No. R05-2020

A RESOLUTION OF THE CITY COUNCIL FOR KUNA, IDAHO APPROVING THE “*PROFESSIONAL SERVICES AGREEMENT*” WITH JUB ENGINEERING, INC. FOR DEVELOPING THE HELEN ZAMZOW PARK MASTER PLAN; AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND THE CITY CLERK TO ATTEST TO SAID SIGNATURE.

6. Consideration to approve Resolution No. R06-2020

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KUNA, IDAHO APPROVING THE WATER TRUNK REIMBURSEMENT AGREEMENT FOR MERINO COVE SUBDIVISION; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND THE CITY CLERK TO ATTEST TO SAID SIGNATURE; AND AUTHORIZING THE CITY TREASURER TO PAY VARIABLE CONSTRUCTION, INC THE AMOUNT OF SEVEN THOUSAND THREE HUNDRED SEVENTY-FIVE DOLLARS AND ZERO CENTS (\$7,375.00) PURSUANT TO THE TERMS OF SAID AGREEMENT.

7. Consideration to approve Resolution No. R07-2020

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KUNA, IDAHO APPROVING THE PRESSURIZED IRRIGATION REIMBURSEMENT AGREEMENT FOR MERINO COVE SUBDIVISION; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND THE CITY CLERK TO ATTEST TO SAID SIGNATURE; AND AUTHORIZING THE CITY TREASURER TO PAY VARIABLE CONSTRUCTION, INC THE AMOUNT OF THREE THOUSAND FIVE HUNDRED SEVEN DOLLARS AND ZERO CENTS (\$3,507.00) PURSUANT TO THE TERMS OF SAID AGREEMENT.

8. Consideration to approve Resolution No. R08-2020

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KUNA, IDAHO APPROVING THE SEWER TRUNK REIMBURSEMENT AGREEMENT FOR MERINO COVE SUBDIVISION; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND THE CITY CLERK TO ATTEST TO SAID SIGNATURE; AND AUTHORIZING THE CITY TREASURER TO PAY VARIABLE CONSTRUCTION, INC THE AMOUNT OF TEN THOUSAND EIGHTY-SEVEN DOLLARS AND ZERO CENTS (\$10,087.00) PURSUANT TO THE TERMS OF SAID AGREEMENT.

D. Final Plats

1. Consideration to approve Case No. 19-16-FP (Final Plat) for the Malaspina Ranch Subdivision No. 1.

2. Consideration to approve Case No. 19-17-FP (Final Plat) for the Greyhawk Subdivision No. 9.

Council President Buban-Vonder Haar moved to approve the consent agenda. Seconded by Council Member McPherson. Approved by the following roll call vote:

Voting Aye: Council Members Cardoza, Christensen, Buban-Vonder Haar, and McPherson

Voting No: None

Absent: None

Motion carried: 4-0

5. Community Reports or Requests:

- A. Request for Exemption for fire sprinkler plan review from Idaho State Fire Marshal's Office – Phil Roberts, Fire Chief ACTION ITEM
(Timestamp 00:06:52)

Fire Chief Roberts had not arrived yet.

City Attorney Bill Gigray, who also served as attorney for the Kuna Rural Fire District, presented the request and stood for questions.

Mayor Stear clarified this did not exempt them from anything with the International Fire Code. This was only a request that the State Fire Marshal's Office allow this with the City's blessing.

Mr. Gigray affirmed that statement.

Mayor Stear asked Public Works Director Bob Bachman if he had any questions or comments.

Mr. Bachman said the building department would be supportive of it.

Council Member Cardoza asked if the City would have any liability if they endorsed this.

Mr. Gigray responded no.

Fire Chief Roberts had arrived and explained the benefit to the community was the turnaround of permits in a timely manner. The State was well qualified but was serving a number of jurisdictions and their turnaround was three weeks or greater. Kuna Fire was trying to maintain a turnaround time of less than a week. Chief Roberts saw this as a way to better serve the community.

Council President Buban-Vonder Haar moved to approve the Request for Exemption for Fire Sprinkler Plan Review from the Idaho State Fire Marshal's Office that was

submitted by the Kuna Rural Fire District and authorize the Mayor to sign the exemption request. Seconded by Council Member McPherson. Motion carried: 4-0

6. Public Hearings: (6:00 p.m. or as soon thereafter as matters may be heard.)

- A. Public Hearing continued from the November 19, 2019 Regular City Council Meeting for testimony from staff and public written testimony and Consideration to approve Ordinance No. 2019-44 – Wendy Howell, Planning & Zoning Director and Bobby Withrow, Parks Director ACTION ITEM
(Timestamp 00:17:40)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KUNA:

- MAKING CERTAIN FINDINGS, PURPOSES AND ORDINANCE ENACTMENT HISTORY; AND
- REPEALING SECTION 20, ARTICLE A, CHAPTER 2, TITLE 4 KUNA CITY CODE; AND
- AMENDING AND REDESIGNATING SECTIONS 21 THROUGH 38, ARTICLE A, CHAPTER 2 OF TITLE 4 KUNA CITY CODE; AND
- AMENDING SUBSECTION 2 OF SECTION 6, CHAPTER 1, TITLE 5 KUNA CITY CODE MAKING A TECHNICAL CORRECTION TO THE DEFINITION OF “OPEN SPACE”; AND
- AMENDING SECTION 5, CHAPTER 5 OF TITLE 5 KUNA CITY CODE MAKING TECHNICAL CORRECTIONS REGARDING THE GENERAL REQUIREMENTS OF FENCE REGULATIONS; AND
- REPEALING SECTION 4, CHAPTER 6, TITLE 5 KUNA CITY CODE; AND
- AMENDING AND REDESIGNATING SECTIONS 4, 5, 6, 7, 8, AND 9 OF CHAPTER 6 OF TITLE 5 KUNA CITY CODE; AND
- AMENDING SECTIONS 2, 4, 6, 10, 12, AND 20, CHAPTER 17, TITLE 5 OF KUNA CITY CODE MAKING TECHNICAL CHANGES TO DESIGN REQUIREMENTS AND ADDING REQUIREMENTS FOR RESIDENTIAL OPEN SPACE; AND
- AMENDING SECTION 2, CHAPTER 4 OF TITLE 6 KUNA CITY CODE PROVIDING FOR A CHANGE IN THE TEXT DESIGNATION FOR DEFINITIONS UPON WHICH CITY STAFF CAN RELY AND MAKING A TECHNICAL CORRECTION REGARDING THE MEASUREMENT OF FENCE HEIGHT AND LOCATION OF FENCING; AND
- PROVIDING A SEVERABILITY CLAUSE; AND
- DIRECTING THE CITY CLERK; AND
- PROVIDING AN EFFECTIVE DATE.

Planner II Jace Hellman presented the changes made to the ordinance as a result of Council’s direction, discussion, and public testimony. He presented a graph of the changes. The large table was the old proposal. The shorter, more compact table was the new proposal based on their research. He noted they received a number of late exhibits staff had received in the past hour. If Council needed time to read through those that was understandable. He also handed out paper copies of the presented graph to Council. He stood for questions.

Mayor Stear reviewed the purpose of this was to bring City Code in line with the re-write of the comprehensive plan. There were some errors in the final part of the last proposal that they corrected. He also knew Meridian was in the process of changing their open space requirement. He asked Mr. Hellman to review land donation to the school district.

Mr. Hellman explained the table included a note that allowed for any parcel of land that was 10 or more acres donated to the school district for a school site as an amenity for that development to count towards the open space requirement. It would help the school district and the community over all.

Council President Buban-Vonder Haar asked, if the developer did not put in the required amenities, would they still have to pay the Park Impact Fee on top of this open space requirement.

Parks Director Bobby Withrow replied yes. The open space was basically for the subdivisions coming in that did not have a lot of park space for kids to play in. The Park Impact Fee would come into play and be assessed to every buildable lot. Also, if a developer met the minimum requirements the City would give them credit.

Mayor Stear recalled at the last hearing for this there was concern about HOA fees on properties that got large. He thought the Parks Department required a 5-acre parcel to be donated to the City as a park which would relieve the HOAs of having to maintain those properties.

Mr. Withrow said that was correct. He added that the surrounding cities required the same thing.

Council President Buban-Vonder Haar asked if the open space requirements for surrounding cities were in the packet or if that information could be acquired.

Mr. Hellman said they weren't in the packet. He knew for sure the City of Eagle was at 18% open space with 15% usable across the board with a couple little caveats in the code. Their definition of usable open space was different and accepted more, including buffers, end caps and things like that. Meridian was at 10% but they were in the process of changing their code and he did not know what changes they were proposing. Those were the two cities they focused on.

Council President Buban-Vonder Haar stated she might be interested in obtaining numbers for Garden City, Star, and possibly Nampa. She would clarify at the end of this part of the agenda. She asked if Council was ready for the public hearing.

Mayor Stear reviewed Council had requested written testimony from the public and testimony from staff. He asked if Council wanted to re-open the public hearing for public comment.

Council President Buban-Vonder Haar asked, if they assumed every development that went in would be between 7 and 50 and therefore at the 7% open space, would that achieve the 1 acre per 80 people standard they were hoping to achieve.

Mr. Hellman said staff felt it would. He reiterated the goal of this code was not to get every project to 1:80, or even the city to 1:80, overnight but, to get people to start paying attention to open space and to get it in projects so community members had places to go. It might take a while but, this code would get them to their goals.

Council President Buban-Vonder Haar asked why it would be beneficial, or not, to go with the system being proposed which allocated the percentage of required open space based on the number of dwelling units versus the density of the project. She wanted to know why they chose this approach instead of tying it to the project density.

Mr. Hellman explained they looked at a tiered system based on impact. He gave some examples of how the tiered system worked versus how basing on density worked to show how the tiered system was better.

Mayor Stear liked how staff was working hard to reach the goal set by the community in the revised comprehensive plan. He thought they had come a long way and had done a good job with making changes to this to make it more reasonable. It was a 12.5% maximum and it shouldn't be too devastating to meet that. It addressed the number of people in a small area and giving enough space.

Council President Buban-Vonder Haar asked how long this second version had been available to the public.

Mr. Hellman stated the second version became available to the public when the packet went online.

Council President Buban-Vonder Haar felt with something this big that had gotten so much feedback there was value in doing a third reading. She was wondering if they should put it to the next meeting or the first meeting in February to give as many people as possible the opportunity to look at it and provide feedback so they could come up with final modifications if any and get it in place.

City Attorney Bill Gigray suggested, if they were continuing the hearing and not re-noticing, they advise those present of the changes that had been made from the original version that was noticed and published. Then they could announce those changes were available in the Council Packet which was online for people to see. Then people could have an opportunity to address any issues at the continued hearing.

Council President Buban-Vonder Haar reviewed what was originally proposed and the changes to the proposed ordinance as presented in the table provided by Mr. Hellman.

Mayor Stear noted the actual changes were listed in the packet in the actual ordinance which began on page 19 of 26 and went to page 20 of 26 or pages 347 and 348 of the overall package.

Council President Buban-Vonder Haar asked what folks' thoughts were about continuing to January 21, 2020 versus February 4, 2020.

Council Member Christensen thought, since the focus had always been on the percentage-based increments and since they had simplified them so much, they didn't need a whole month for review and comment. Two weeks seemed to be enough time.

Council Member McPherson was fine with either.

Council President Buban-Vonder Haar noted January 20, 2020 was MLK Jr. Day. She wasn't sure how everyone felt about having this immediately following the holiday.

Mr. Hellman stated staff was comfortable with January 21, 2020.

Mayor Stear noted he had received an email from the school district letting him know they had not been able to take this to the school board yet and would not be able to get their comment in until January 14, 2020. The 21st of January would actually work for them. He did also let them know they could contact staff with any questions.

Council President Buban-Vonder Haar asked if they wanted to allow for any additional public testimony when they continued it for a third reading.

Mayor Stear preferred to work with staff on these things but if they wanted to receive letters again, they could. He thought it worked out pretty well this time.

Council President Buban-Vonder Haar was concerned it would be impossible for people to address feedback from the school district in their written testimony because it wouldn't be available for people to comment on until after the packet was published.

Mayor Stear thought the School District was just going to work with staff regarding their comments. He felt it would be cleaner to stick with written testimony and have everybody work with staff to make changes so everything was cleaned up when it came back to Council.

Council President Buban-Vonder Haar noted, on page 22 of 95 of this item, under "H. Abatement of unlawful fences:", section I.2.B. needed to be modified to read, "Height of fence waiver shall only be considered when the grade between two lots has a difference of two (2) feet or more and the request is made by the owner of the two properties."

City Attorney Bill Gigray recommended Council be very clear they were going to proceed with a third reading on the January 21, 2020 and the record of this proceeding would remain open for written comment by affected property owners and interested

persons and agencies to be received by staff and included in the Council Packet for that meeting to be taken into consideration.

Council President Buban-Vonder Haar moved to continue the Public Hearing to January 21, 2020 and continue to receive written testimony only, which would be submitted to staff and included in the packet.

Mr. Gigray recommended a deadline for submitting written testimony should also be made clear.

Mayor Stear asked if staff would be comfortable with Wednesday, January 15, 2020.

Mr. Hellman replied yes.

Council President Buban-Vonder Haar asked if noon on Thursday, January 16, 2020 would be acceptable.

Mr. Hellman explained staff preferred the day prior in order to get the packet in by the 5:00 P.M. cutoff for Council.

Council President Buban-Vonder Haar was still struggling with people being able to address anything new through written testimony.

Mayor Stear thought a lot of this stuff could be addressed with school staff prior to the meeting so it should be fairly easy to assemble. If it didn't work out and this needed to be continued again to address any issues the school board might have, it could be. This wasn't do or die and he felt they were covered with this.

Planner III Troy Behunin stated anyone at this meeting or that listened to the recording online or read the minutes would have notice that they could submit written testimony and attend the meeting in order to hear any new information. It was no different from any other public hearing with the packet and written testimony submissions.

Council President Buban-Vonder Haar said it was not like any other public hearing. They were discussing not allowing testimony. She reiterated her concern that people would not be able to view comments from the school district until the packet was released which was after the submission cutoff for written testimony. She suggested allowing public testimony for the exclusive purpose of addressing brand-new information that was not available for written comment.

Mayor Stear felt that was acceptable.

Council Member Cardoza wondered if it should be continued to February 4, 2020 to allow people more time to review this.

Council Member Christensen felt a week and a half was ample time to respond. He agreed with opening it up exclusively for responses to the school board in order to avoid rehashing everything or pushing it off.

Council President Buban-Vonder Haar proposed setting the deadline for receipt of written testimony as 8:00 A.M. on January 16, 2020 and allow oral testimony specifically for comments from the school district or it could be broader to include anything included in the packet for the first time.

Council Member Cardoza would prefer open testimony on all issues since the percentages were changed.

Council President Buban-Vonder Haar was not opposed to that. She wanted feedback on the new table. It seemed like most of the letters received referenced the original proposal. That was why she asked if this had been circulated.

Council Member Cardoza agreed. He asked Mr. Gigray if there was any reason they couldn't open it to public testimony.

Mr. Gigray said absolutely not and thought it was really the safe play. They could limit the testimony to what was new or they could just leave it open.

Council President Buban-Vonder Haar was worried about getting into the woods deciding what was new and what wasn't. She also did not want to inadvertently cut off testimony of something relevant by crafting something specific for what they wanted to hear.

Council Member Christensen said it was the safe play to reopen it.

Council President Buban-Vonder Haar withdrew her prior motion and confirmed Council still wanted January 21, 2020 with oral testimony.

Council President Buban-Vonder Haar moved to continue the Public Hearing to the January 21, 2020 City Council Meeting at which time Council would receive oral and written testimony as with a normal public hearing. Seconded by Council Member McPherson. Motion carried: 4-0.

- B.** Public Hearing and Consideration to approve new water and sewer system fees and policies – Bob Bachman, Public Works Director ACTION ITEM
(Timestamp 01:01:20)

Public Works Director Bob Bachman reviewed staff's task of doing a rate study including water and sewer user rates and sewer and water hook up fees. They had hired a third party to do that study, Justin Walker from Keller and Associates. Mr. Walker would present and stand for questions with Mr. Bachman and City Treasurer Jared Empey. He

wanted Council to know they understood this was a tough decision. They presented the facts as they were and did not make this recommendation lightly.

Mr. Walker presented the details of the study and the resulting proposed water and sewer system fees and policies. He reviewed utility revenue sources, rate structure objectives, water system rates and connecting fees, and sewer system rates and connecting fees. He, Mr. Bachman, and City Treasurer Jared Empey stood for questions.

Council Member Cardoza asked if this would lower the rates in proportion with the operating expenses.

Mr. Walker explained the revenue would stay the same or be slightly higher. Those that use a lot more water would be paying significantly more and more than compensate for the loss of revenue from 50% of Kuna's users. The revenue would slightly increase even with the reduction in the average water bill.

Council Member Christensen said the report showed the average Kuna resident used 5,800 gallons of water. That would imply the average Kuna resident would be in Tier 1, not the Base Tier. He asked what the logic was behind that.

Council President Buban-Vonder Haar stated she and Council Member McPherson were on the sub-committee for this so they already saw this report and talked through the different approaches. The challenge they were encountering was the top 10% skewed the whole average.

Council Member Christensen said that made sense as to why they focused on the median instead of the average.

Council President Buban-Vonder Haar added that about 50% of residential users would fall under the Base Tier so their bill would go down. Then, depending on how much those in Tier 1 used, in theory, their bill would still go down. Including the Base Tier and Tier 1 they were at 70% of users who shouldn't see an increase in their bill and might see a decrease depending on use.

Mayor Stear stated they still had a certain amount of users who did not have access to Pressurized Irrigation. He asked if that was considered. It was why they had hesitated to drop below 10,000 gallons for quite some time.

Mr. Walker's understanding, when they talked about that during the study, was the additional cost they might pay on a monthly basis would be similar to the Pressurized Irrigation Fee that those who did have it would pay. They did not foresee a major impact on those people.

Mr. Bachman added they looked at that extensively. When looking at it over the calendar year it was hard to determine what a PI users' yearly rate would be without using that for PI. The assumption was, with 50% or more of customers in the Base Tier, during the

months they were not using PI they would fall in the Base Tier and save on the \$98 so the PI bill would hopefully wash out and it would be an incentive to get hooked up to PI for those that could.

Mayor Stear commented there were a few people's homes the City could not get the line anywhere near and wondered if there should be special consideration for those. They couldn't punish people already in the city that they couldn't do something for.

Mr. Bachman replied they tried to look at that the best they could with the way the rate structure was and hoped it would balance out.

Mr. Walker said it was certainly something they could do if it became an issue.

Mayor Stear was thinking they would need that consideration, otherwise they would get hammered hard.

Council Member Cardoza asked if, Appendix A, the Existing EDU Guide, took into consideration the EDUs that went with the LID.

Mr. Walker wasn't sure what the question was.

Council Member Cardoza explained if the City was selling EDUs they would get 100% of the money but, some of those EDU's were outstanding and being sold by others so Kuna was not getting that revenue in. He thought that was why that redline was so diminished. He asked if Mr. Walker, or maybe Mayor Stear, knew when those EDUs would be completely sold and Kuna would start selling their own EDUs.

Mayor Stear said it depended on the rate of sale which seemed to be happening much quicker than before and deferred to Mr. Bachman for further explanation.

Mr. Bachman explained the EDU was for expansion of the system, not upkeep. It was two different pools of money. The EDU the City collected was a hook up fee that bought into the system to expand it and treat it. The user rates were completely separate from that. Also, the \$500 recommended increase would not be in the portion that was involved with the LID. It would be the interceptor fee the City collected that went up. The City would see that and it would help make sure the development was paying for itself.

Council President Buban-Vonder Haar noticed in a slide it said it might be better to do a phased in approach when raising fees. However, the resolutions reflected doing it all at once. She asked if they wanted to take a more phased approach, would the amounts need to change.

Mr. Walker replied yes, there were five alternatives for increasing the rates in the report. If they wanted to take a phased in approach, he recommended they not change their tier rate. They would just slowly increase the base rate. However, the ultimate number could

be higher because the City would lose out on revenue for however long it took to get to the \$38 so to get the same revenue, they could potentially have to go above \$38.

Council President Buban-Vonder Haar clarified the various options were more about how they split out the fees. She asked if there was something in the report about how to get to the same end goal over a period of time instead of all at once and apologized if she missed it.

Council Member Christensen said page 34 of 108 talked about percentage increase over a period of time. It was the summary page right before Appendix A.

Mr. Walker added different sewer scenarios for increasing rates would be in figures 11, 12, 13, and 14.

Mayor Stear opened the public hearing.
(Timestamp 01:45:00)

Support: None

Against:

Lance Coumerilh, 935 Strike Way, Kuna, Idaho 83634, vacillated between being neutral or against this. He was swayed by the fact that the resolutions had February implementation dates. He calculated his bills. He was not a 5,000 a month user. He was probably between 5,000 and 10,000 and the rate increase was substantial. He understood for the sewer it needed to get to where it was fiscally maintainable. He thought that should be where the primary increase should be. However, for water, he felt larger families and those with older home with less water friendly appliances were being penalized. He thought the implementation was unrealistic. He wanted to be encouraged to conserve water, not held hostage to it. It was not reasonable to expect homeowners to jump below 5,000, especially with the February implementation date. It should be encouraged through public awareness and rate increases. However, he could see it on the sewer side. He thanked Council.

Mayor Stear appreciated Mr. Coumerilh coming out to testify. He had trouble with this too. He knew it would hit some people harder than others. It was tough.

Mr. Coumerilh reiterated his concern for larger families and felt this was not a fair representation of the broader base.

Mayor Stear said they would not take this decision lightly.

Jim Eberhard, 332 E Northridge Drive, Kuna, Idaho 83634, said the presentation was very informative. He liked what was said about educating people. He had educated himself on energy conservation and efficiency in lighting, heating and cooling, and water in his home. He spent a lot of money to do that. The other utilities he used, specifically electricity and gas, rewarded him for that investment. His investment was a high initial

cost but, after a certain period he started to get a return on that investment; money in his pocket. That didn't happen with water. He put in a tankless water heater with a circulating pump on it. The line ran down to the farthest part of the water line and circulated it so that, when he turned on his faucet, he had hot water in about two seconds and insulated the pipes to keep the heat in for efficiency. He had done reviews on his bills from 2017, 2018, and 2019. His gallons per day for occupant ranged from 28 to 57. The national average was 80 and Idaho's average was 140. He didn't understand that. His investment, from low flow fixtures to high efficiency flushing toilets, was significant and he was not getting any kind of return on that investment. The commercial recommendation was a flat rate with a dollar per thousand of usage. He asked why not do that with residential. Then everyone would be paying for what they used. As it was, he paid for 120,000 gallons of water each year and he was using 12,000. That was a pretty steep fee. To get to a higher usage he let his water run for an hour or two every morning while reading the paper and in December 2019 he was finally able to get his usage up to 5,600. He asked who would leave a faucet running for that many hours a month and how.

Mayor Stear stated Mr. Eberhard had a pretty good list of questions that staff had gone through and would be providing answers for those. He felt that would help explain their theories and reiterated it was not something they were taking lightly. They had come a long way and while they weren't where Mr. Eberhard was yet; they would eventually get there. Mayor Stear appreciated his comments and hoped to work on conservation over time.

Neutral: None

Rebuttal:

Mayor Stear asked if staff wanted to go over Mr. Walker's presentation or if Council had questions.

Mr. Bachman felt a lot was already answered but if they came across anything more specific, he would be happy to answer any questions.

Mayor Stear thought staff had done some comparisons to Las Vegas and other cities that were mentioned.

Mr. Bachman explained there were some comparisons made to other large cities so staff took a quick look the best they were able to in the time they had. What staff found was some of the rates those cities were charging were just how much it cost for water to get to their tap. There were additional service charges, administrative fees, and other fees on top of that rate. Those fees were already reflected in the base fee that was being recommended. The other difference was it was not being spread across a million people or more.

Council Member Cardoza wanted to elaborate on Mr. Bachman's statement. He reviewed Las Vegas' water rates and fees he had found online. It looked like the proposal was in the ballpark with the first 5,000.

Mr. Bachman replied that was pretty much identical to what staff found.

Mayor Stear asked if there were any more questions. He knew this was a lot to absorb. He had been going over it for the past few months and still had questions every other day. He thought since this was a rate consideration it would be wise to continue for the full three readings.

Council President Buban-Vonder Haar agreed. She asked Mr. Bachman if he would advise moving forward with the proposed full increase up front to start hitting those targets more immediately or doing a more staggered implementation over the next three or five years.

Mr. Bachman said staff stood by their recommendation. They heard the testimony and understood it. They did consider the impact it would have on the community on the sewer side but felt the effect of waiting could have greater potential impact by far. They also desperately needed to maintain it going forward instead of waiting as long as they did to come to Council with a rate adjustment. They felt this was imperative. An example of what could happen in the blink of an eye was the \$25,000 pump that went down that weekend for no reason. It didn't sound like a lot of money for a pump but the impact and trickle-down affect was it basically shut down one of the lift stations which was vital for the sewer system. Those were the kind of things the City needed to be able to react to and fix with the aging infrastructure in the ground. The longer they waited the greater those problems would become. The growth really took off in 2004 or 2005 and most parts were good for 15 – 20 years so a lot of that was expiring now. The last thing they wanted to have to do was come before the Council and citizens to have a more serious discussion about infrastructure bonds or massive rate increases to pay for the infrastructure. Staff felt their proposal was responsible and got the City back on track to not have to do this again.

Mayor Stear asked if they knew what this rate increase meant per month for income for the City; not so much the connection rate but the user rate.

Council President Buban-Vonder Haar said, if her math was correct, the difference would be \$132,469 additional per month. She explained how she got to that amount and asked if she was correct.

City Treasurer Jared Empey replied those numbers seemed accurate to him and made sense.

Council President Buban-Vonder Haar noted the chart she based her numbers on was just a flat average number of EDUs and didn't include new growth EDUs and things like that so the number might fiddle a little bit.

Mayor Stear wasn't sure where he was going with that yet but thanked them.

Council President Buban-Vonder Haar asked Mr. Bachman, understanding definitively that his preference was to implement it all at once, she would love to hear his opinion on

the maximum they could sustain in terms of a slow roll. She knew it was a hard question to answer so, if he wanted, he could think it over and address it at the next public hearing.

Mr. Bachman stated City Clerk Chris Engels just let him know this was a resolution so there weren't three readings.

Council President Buban-Vonder Haar said they could table it then.

Mr. Bachman said he would definitely take that into consideration but believed, as the Public Works Director for the City of Kuna, it would be irresponsible to recommend anything else. However, he would respect Council's wishes and decision and implement whatever they asked.

Council President Buban-Vonder Haar's concern was what this kind of increase would do to people and if people could stomach an extra \$10 a month right from the jump. She thought if there was a way to cut it in half and do it over two years, people could better budget for it; especially if they were looking at an implementation date that was a couple months out.

City Attorney Bill Gigray said Council needed to keep in mind what was noticed. That would define their options; if it included a tiering in or just one increase. He reminded them this was a proprietary fund that needed to stand on its own. If the fund got to where it couldn't, they couldn't rely on general funds to supplant water and sewer fees. If they wanted to do a phased in system that would need to be identified in the resolution with what the increases would be and what dates they started. He was concerned, if they went out to far, the rate study would end up being out dated and they would have to look at doing another rate study; which meant more advertising and public hearings. He thought they would be better off setting an amount and then, if they were going to go in the future, they could revise it. There were some advantages to proceeding in accordance with the recommendation.

Mayor Stear asked if the phased in approach was in the report or if it was added that night.

Mr. Walker replied the alternatives were in the report but the recommendation and what was in the resolution was a one-step approach.

Council President Buban-Vonder Haar reviewed the different approaches in the report.

Council Member Christensen asked where the City was at in the wastewater fund as far as solvency.

Mr. Empey reviewed the operating income; particularly in the sewer fund. It had not covered its cost from 2010 to 2018. On an operating basis, the sewer fund had lost \$5.7 million over that period of time. In other words, the fund was \$5.7 million behind where it should be funded. One of the biggest reasons they brought up enacting the rate increase

immediately was, even if they eventually got to where the operating results would be positive, it wouldn't necessarily be filling the hole.

Mayor Stear said, he wasn't picking on Nampa and thought they did a good job coming back from the hole they were in, but Kuna didn't want to get to the point where they would have to do what Nampa had to. They gave their citizens an alternative of either bonding for a certain amount or having their sewer rates raised a substantial amount; like \$60 a month. They opted for bonding and got out of the hole. The problem was they dug a hole that was \$100 million plus. Kuna did not want to get to that point. He thought they were doing the right thing. It was just a tough pill to swallow.

Mr. Gigray reviewed the Revenue Bond Act and his experience working with cities in related scenarios. He suggested Council ask Mr. Bachman to look at different scenarios and he could come back to Council and tell them where shortfalls would show up depending on what they did.

Council Member Christensen liked that idea. If they could pick a couple scenarios, Mr. Bachman could come back and tell them the impact he foresaw with the different approaches. It would at least justify a potential instant increase or a phased approach for him.

Council President Buban-Vonder Haar thought, as they have all come to understand the dire situation they were about to be in or could find themselves in, she would be fine hearing about a two year and maybe a three year but going to a five year or beyond would just be prolonging the inevitable. She asked how Mr. Bachman felt about that.

Mr. Bachman said he would be more than happy to put that information together.

Council President Buban-Vonder Haar asked if anyone had questions or requests for the next meeting regarding the approach to water.

Mayor Stear replied not necessarily. It was very stable and basically just came down to the dollar amount on everyone's bill.

Mr. Bachman noted even though they saw between a nine and ten percent increase in growth the last year they actually decreased their potable water usage by about 25,000 gallons. He was very proud of his staff and Kuna citizens for how hard they worked to make that happen. It was not easy to do; especially when adding that many roof tops. He thought the tiered rate for water would also increase that number if it passed and was a step in the right direction. He was excited about it.

Mayor Stear appreciated the Senior Rate. People on a fixed income didn't really have the ability to pay more.

Council Member Cardoza reviewed some figures and calculated the increase for the average citizen would be about \$4.35 a month. He recalled a major sewer break on Ten Mile in 2006. There was no contingency left in the sewer fund. They had to borrow from

the general fund and the water fund to make repairs and avoid a bond issue. City employees went on a 37- and 36-hour work week in order to help the citizens. He was amazed at the reciprocation from the citizens and the employees that took a cut in pay of about four hours a week until the money was paid back. Part of the problem the City had now was the school bond that was just passed. It added about \$500 a month for his business and \$500 a month for his home. The increase of \$4.35 would probably get a little feed back from the community but, knowing the consequences of not having sufficient funds in contingency, he would just as soon go for the \$4.35, take the hit from the community, and try to explain the necessity for the rate increase.

Council President Buban-Vonder Haar clarified he was saying he was comfortable with what was presented and would be comfortable with passing it that night.

Council Member Cardoza said that was correct and usually he was kind of against rate increases. There was one condition he would put on it; that Mr. Bachman not come back the next year asking for a 10% rate increase for the sewers.

Mr. Bachman said the goal was to get it to where it paid for itself and then take incremental increases as needed. Hopefully, they'd never have to come back for such a large increase but they couldn't say never. They didn't like it either but felt the importance of it.

Mayor Stear preferred not to pass it that night. It was a rate increase and he would like to give it another meeting or two to soak in. He wanted to do what was requested; look at a tiered in approach.

Council President Buban-Vonder Haar liked that as well. At least the public could then fully understand why they were doing this.

Mr. Bachman replied that was no problem at all.

Council Member Christensen requested scenarios for two- and three-year phases.

Council President Buban-Vonder Haar asked if the next meeting would work.

Mayor Stear thought that was fine and asked that they keep the public hearing open for testimony. He asked Mr. Bachman if that would work for him.

Mr. Bachman said yes and had a couple questions on the two hook up fee portions of this. They had the water hook up fee with a \$250 increase and the sewer EDU interceptor fee with a \$500 increase. He explained those fees covered growth. The developers or builders paid that fee which helped cover the expansion of the system. It was important to them to make sure those rates accurately reflected the infrastructure going into the ground and they were absorbing as much of that cost as possible.

Council Member Cardoza asked Mr. Bachman to let them know how much was in the sewer contingency fund.

Mr. Bachman said he would do that.

1. Consideration to approve Resolution No. R01-2020

A RESOLUTION AMENDING PORTIONS OF RESOLUTION R84-2017 THAT: SETS FORTH THE AUTHORITY FOR ADOPTING WATER CONNECTION FEES AND MONTHLY WATER SERVICE RATES; ESTABLISHES FEES FOR CONNECTING TO THE WATER SYSTEM; ESTABLISHES WATER USE FEES THAT ARE NOW AMENDED WITH WATER RATE CHANGES FOR ALL CUSTOMERS; PROVIDES FOR MISCELLANEOUS WATER CUSTOMER SERVICE POLICIES; SETS FORTH MINIMUM LINE SIZES; REPEALS FEES ESTABLISHED BY EARLIER RESOLUTIONS; AND SETS AN EFFECTIVE DATE.

2. Consideration to approve Resolution No. R02-2020

A RESOLUTION AMENDING CERTAIN SECTIONS OF RESOLUTION R83-2017 THAT: SETS FORTH THE AUTHORITY FOR ADOPTING SEWER FEES; ESTABLISHES FEES FOR CONNECTING TO SEWER SYSTEM; ESTABLISHES MONTHLY SEWER USE FEES THAT ARE NOW AMENDED WITH SEWER RATE CHANGES FOR ALL CUSTOMERS; SETS FORTH MINIMUM LINE SIZES; REPEALS FEES ESTABLISHED BY EARLIER RESOLUTIONS; AND SETS AN EFFECTIVE DATE.

Council President Buban-Vonder Haar moved to continue the Public Hearing and consideration to approve the new water and sewer system fees and polices to the meeting on January 21, 2020 at which time Council would continue to receive public testimony. Seconded by Council Member McPherson. Motion carried 4-0.

7. Business Items:

- A. Consideration to approve 19-02-LLA (Lot Line Adjustment) – Jace Hellman, Planner II
ACTION ITEM
(Timestamp 02:30:36)

On behalf of Jim Lesley (Owner), Jeff Likes with ALC Architecture seeks Lot Line Adjustment approval to create a larger buildable lot within Ensign Subdivision No. 2 for a new Freedom Fitness gym facility. The subject properties are located at 909 N. Meridian Road and 921 N. Meridian Road, Kuna, ID 83634 (APNS: R2404330020 & R2404330040).

Planner II Jace Hellman presented the staff report and stood for questions.

Council President Buban-Vonder Haar moved to approve 18-01-LLA (Lot Line Adjustment). Seconded by Council Member McPherson.

Council realized the wrong case number was listed in the memo.

Council President Buban-Vonder Haar modified her previous motion.

Council President Buban-Vonder Haar moved to approve 19-02-LLA (Lot Line Adjustment). Seconded by Council Member McPherson. Motion carried: 4-0.

- B.** Request for direction on possible change in Alcohol License Renewal timeline – Chris Engels, City Clerk ACTION ITEM
(Timestamp 02:33:28)

City Clerk Chris Engels explained there was discussion between the cities, the county, and the state about making a change to alcohol license renewal timelines. Currently, the State, County, and cities all expired on April 30th. The request was consideration to do staggered. Upon conversation with the County and the cities, the recommendation was the State would continue to expire on April 30th, the County was agreeable to expiring on May 30th, and then the cities would expire on June 30th or thereabouts. It was not mandatory; however, it would certainly benefit a rolling renewal for the users. The other portion that would change was the current decrease in fees at half the year and $\frac{3}{4}$ of the year. Those dates would move accordingly. In the first year for the renewal they would expire on April 30, 2020 and then they would not need to renew until June 30, 2021 so they would have about 13 or 14 months. She noted the Chief was aware of the request. She stood for questions and welcomed any input. If Council's direction was to move forward with this, it would be brought back as an ordinance for their consideration.

Mayor Stear stated this was a brain child of City Clerk Chris Engels. A couple of other cities had already implemented it. It took out the risk of having to close the Albertsons and Walgreens liquor aisles like they did last year. It got it to the point now that if someone didn't get it in on time there was nothing else that could be done for them. He appreciated all of Ms. Engels' time and effort. It had been an ongoing issue for a long time and, because of her consideration on this, it would save a lot of people and a lot of cities a lot of problems. She deserved kudos for that.

Council President Buban-Vonder Haar said it sounded good and directed her to write it up.

Ms. Engels said she would come back with an ordinance.

- C. *Informational Only* Ethical considerations related to Greg McPherson’s dual-role as a Commissioner for the Kuna Rural Fire District and as a Member of the Kuna City Council – Bill Gigray, City Attorney
(Timestamp 02:36:37)

City Attorney Bill Gigray reviewed the ethical considerations, as laid out in his memo in the Council Packet, that could come up in regards to Council Member McPherson’s dual-role as a Commissioner for the Kuna Rural Fire District and as a Member of the Kuna City Council and the procedures for dealing with those potential conflicts. He stood for questions.

Mayor Stear thought there was only one issue when he had a dual-role as a Commissioner for the Kuna Rural Fire District and as a Member of the Kuna City Council. He just stated what his conflict could be and there didn’t seem to be an issue with it. It was pretty rare and he didn’t think they would have any trouble with it.

Council thanked Mr. Gigray.

8. **Ordinances:**

- A. Consideration to approve Ordinance No. 2019-46 ACTION ITEM
(Timestamp 02:44:21)

A MUNICIPAL ANNEXATION AND ZONING ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KUNA;

- MAKING CERTAIN FINDINGS AND DECLARATION OF AUTHORITY; AND
- ANNEXING CERTAIN REAL PROPERTIES, TO WIT: ADA COUNTY ASSESSOR’S PARCEL NOS. S2102110000 AND S2101212400 OWNED BY THE BUREAU OF LAND MANAGEMENT WITHIN THE UNINCORPORATED AREA OF ADA COUNTY, IDAHO AND CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF KUNA, INTO THE CITY OF KUNA, IDAHO; AND
- RESPECTIVELY ESTABLISHING PUBLIC (P) ZONING DISTRICT CLASSIFICATIONS OF SAID REAL PROPERTIES; AND
- AMENDING THE OFFICIAL ZONING MAP; AND
- DIRECTING THE CITY ENGINEER AND THE CITY CLERK; AND
- PROVIDING AN EFFECTIVE DATE.

Consideration to waive three readings

Consideration to approve ordinance

Council President Buban-Vonder Haar moved to waive three readings of Ordinance No. 2019-46. Seconded by Council Member McPherson. Motion carried: 4-0.

Council President Buban-Vonder Haar moved to approve Ordinance No. 2019-46. Seconded by Council Member McPherson. Approved by the following roll call vote:

Voting Aye: Council Members Cardoza, Christensen, Buban-Vonder Haar, and McPherson

Voting No: None

Absent: None

Motion carried: 4-0.

- B.** Consideration to approve Ordinance No. 2019-47 ACTION ITEM
(Timestamp 02:46:00)

A MUNICIPAL REZONE ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KUNA;

- MAKING CERTAIN FINDINGS; AND
- REZONING CERTAIN REAL PROPERTIES, TO WIT: ADA COUNTY PARCEL NOS. R2404330020, R2404330040 AND R2404330060 OWNED BY LESLEY PROPERTIES LLC, SITUATED WITHIN THE CORPORATE LIMITS OF THE CITY OF KUNA, ADA COUNTY, IDAHO; AND
- AMENDING THE ZONING MAP; AND
- DIRECTING THE CITY ENGINEER AND THE CITY CLERK; AND
- PROVIDING AN EFFECTIVE DATE.

Consideration to waive three readings

Consideration to approve ordinance

Council President Buban-Vonder Haar moved to waive three readings of Ordinance No. 2019-47. Seconded by Council Member McPherson. Motion carried: 4-0.

**Council President Buban-Vonder Haar moved to approve Ordinance No. 2019-47. Seconded by Council Member McPherson. Approved by the following roll call vote:
Voting Aye: Council Members Cardoza, Christensen, Buban-Vonder Haar, and McPherson**

Voting No: None

Absent: None

Motion carried: 4-0.

- C.** Consideration to approve Ordinance No. 2019-50 ACTION ITEM
(Timestamp 02:47:20)

A MUNICIPAL REZONE ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KUNA;

- MAKING CERTAIN FINDINGS; AND
- REZONING CERTAIN REAL PROPERTIES, TO WIT: LANDS LEGALLY DESCRIBED IN EXHIBIT A, OWNED BY HDP GREYHAWK LLC, SITUATED WITHIN THE CORPORATE LIMITS OF THE CITY OF KUNA, ADA COUNTY, IDAHO; AND
- AMENDING THE ZONING MAP; AND

- DIRECTING THE CITY ENGINEER AND THE CITY CLERK; AND
- PROVIDING AN EFFECTIVE DATE.

Consideration to waive three readings
Consideration to approve ordinance

Council President Buban-Vonder Haar moved to waive three readings of Ordinance No. 2019-50. Seconded by Council Member McPherson. Motion carried: 4-0.

Council President Buban-Vonder Haar moved to approve Ordinance No. 2019-50. Seconded by Council Member McPherson. Approved by the following roll call vote: Voting Aye: Council Members Cardoza, Christensen, Buban-Vonder Haar, and McPherson

Voting No: None

Absent: None

Motion carried: 4-0.

- D.** Consideration to approve Ordinance No. 2020-01 ACTION ITEM
(Timestamp 02:48:31)

AN ORDINANCE OF THE CITY COUNCIL OF KUNA, IDAHO

- REPEALING CHAPTER 2 OF TITLE 11 KUNA CITY CODE; AND
- ENACTING A NEW CHAPTER 2 OF TITLE 11 KUNA CITY CODE; AND
- DIRECTING THE CITY CLERK; AND
- PROVIDING AN EFFECTIVE DATE.

Consideration to waive three readings
Consideration to approve ordinance
Consideration to approve summary publication

Council President Buban-Vonder Haar asked if this was the first time they were seeing this. Normally they had a marked-up version but there wasn't one. She asked if the prior Chapter 2 was about parking.

City Clerk Chris Engels explained this was in response to some parking situations occurring in the subdivisions outside the high school. The City had no authorities to issue citations for being parked in front of driveways and mailboxes and causing a lot of heartache for the homeowners in the neighborhood. Due to the fact the City didn't have it and there was not overriding State Code that indicated the police could site on behalf of the City, Marc Bybee wrote this ordinance in order for the City to implement that.

Mayor Stear added people were parking in the subdivision and walking to school because they didn't want to pay the parking permit fees. They were lining the streets, parking in front of mail boxes and there was no recourse to make them move or tow them. People couldn't get their mail and it was a problem so they worked with the Chief on this.

Council President Buban-Vonder Haar asked if there was any reason Council would like additional readings. She noted on page 6 of 8 for 11.2.9 there was a Section A and Subsection 1 but there was no Section B or Subsection 2. She asked to have that as just 11.2.9; not breaking it out to A or 1. Also, in Section 11.2.10, there was the same issue. Section B.1 should be incorporated into Section B.

Ms. Engels stated staff's preference was to waive the three readings.

Council President Buban-Vonder Haar moved to waive three readings of Ordinance No. 2020-01 as amended. Seconded by Council Member McPherson. Motion carried: 4-0.

Council President Buban-Vonder Haar moved to approve Ordinance No. 2020-01 as amended. Seconded by Council Member McPherson. Approved by the following roll call vote:

Voting Aye: Council Members Cardoza, Christensen, Buban-Vonder Haar, and McPherson

Voting No: None

Absent: None

Motion carried: 4-0.

Council President Buban-Vonder Haar asked what should be in the summary publication.

Ms. Engels said they could summarize or publish. Typically, they offered the option to summarize which would have the repeal of Chapter 2, the title, and the bullets underneath.

Mayor Stear said they could summarize as long as it had what the material change was.

City Attorney Bill Gigray said they could supply a summary that would embellish a little more on what the new chapter was. They could list the specifics and still do it as published summary.

Council President Buban-Vonder Haar moved approve summary publication of Ordinance No. 2020-01. Seconded by Council Member McPherson. Motion carried: 4-0.

E. Consideration to approve Ordinance No. 2020-02 ACTION ITEM
(Timestamp 02:57:35)

AN ORDINANCE OF THE CITY COUNCIL OF KUNA, IDAHO:

- AMENDING SECTION 8 OF CHAPTER 6 OF TITLE 1 KUNA CITY CODE PROVIDING A FIVE-MINUTE APPLICANT REBUTTAL TESTIMONY TIME LIMIT; AND
- DIRECTING THE CITY CLERK; AND

- PROVIDING AN EFFECTIVE DATE.

Consideration to waive three readings

Consideration to approve ordinance

Consideration to approve summary publication

Council President Buban-Vonder Haar verified the only change was taking the rebuttal time from 10 minutes to 5 minutes and asked if there was something that prompted the change.

Mayor Stear stated at the last public hearing that had to do with open space he realized the developers didn't really like the timelines that were given and when it was switched on them it was obvious they didn't like having that backwards motion. Something the public had expressed to him was they didn't like the fact that, after they gave testimony, the applicant could get back up and present a lot more information than they had in the original presentation. That 10-minute time limit seemed deceitful to them because then they didn't get to rebut. His hope was that by reducing this to a 5-minute timeline it would force the original 15-minute presentation to be more inclusive of all information.

Council President Buban-Vonder Haar clarified staff presentation was 15 minutes and the applicant presentation was 10 minutes. She felt that made sense.

Council President Buban-Vonder Haar moved to waive three readings of Ordinance No. 2020-02. Seconded by Council Member McPherson. Motion carried: 4-0.

Council President Buban-Vonder Haar moved to approve Ordinance No. 2020-02. Seconded by Council Member McPherson. Approved by the following roll call vote: Voting Aye: Council Members Cardoza, Christensen, Buban-Vonder Haar, and McPherson

Voting No: None

Absent: None

Motion carried: 4-0.

Council President Buban-Vonder Haar moved approve summary publication of Ordinance No. 2020-02. Seconded by Council Member McPherson. Motion carried: 4-0.

- F. Consideration to approve Ordinance No. 2020-03 ACTION ITEM
(Timestamp 03:00:43)*

AN ORDINANCE OF THE CITY COUNCIL OF KUNA, IDAHO:

- ADDITION OF A NEW CHAPTER 5 TO TITLE 2 KUNA CITY CODE ESTABLISHING THE KUNA ECONOMIC DEVELOPMENT EXECUTIVE COMMITTEE; AND
- DIRECTING THE CITY CLERK; AND
- PROVIDING AN EFFECTIVE DATE.

Consideration to waive three readings

Consideration to approve ordinance

Consideration to approve summary publication

Council President Buban-Vonder Haar moved to waive three readings of Ordinance No. 2020-03. Seconded by Council Member McPherson. Motion carried: 4-0.

Council President Buban-Vonder Haar moved to approve Ordinance No. 2020-03. Seconded by Council Member McPherson. Approved by the following roll call vote: Voting Aye: Council Members Cardoza, Christensen, Buban-Vonder Haar, and McPherson

Voting No: None

Absent: None

Motion carried: 4-0.

Council President Buban-Vonder Haar moved approve summary publication of Ordinance No. 2020-03. Seconded by Council Member McPherson. Motion carried: 4-0.

9. Mayor/Council Announcements:

(Timestamp 03:02:00)

Mayor Stear shared Parks Director Bobby Withrow and the Parks Department moved a tree. There were three trees growing really close together which would kill all three trees so they took the one out of the center and moved it behind City Hall. They estimated the tree was worth about \$3,500 so, by spending about \$800 to move it, they saved about \$10,000 worth of trees and now there was a really nice tree behind City Hall.

Council Member Cardoza asked that Chief McDaniel walk Main Street between Avenue C and Avenue D on the north side sometime that week. They were having issues with vomit on the sidewalks again.

Council Member Cardoza also thanked the City for all the decorations in the park and downtown. He thought it was very nice.

Mayor Stear commented the decorations behind City Hall were very nice as well.

10. Executive Session:

None

11. Adjournment: 9:05pm



Joe L. Stear, Mayor

ATTEST:



Chris Engels, City Clerk

*Minutes prepared by Ariana Welker, Deputy City Clerk
Date Approved: CCM 01.21.2020*



Staffs' Previous Open Space Proposal

November 19, 2019

Staffs' Modified Open Space Proposal

January 7, 2020

Proposed No. of Dwellings/Units	Total % of Required Open Space
100 or Less	3.0%

Proposed No. of Dwellings/Units	Required Open Space Per 50 Dwellings/Units (Compounded)**	Total % of Required Open Space ***&****
101-150	1.70%	4.70%
151-200	1.70%	6.40%
201-250	1.70%	8.10%
251-300	1.70%	9.80%
301-350	0.55%	10.35%
351-400	0.55%	10.90%
451-500	0.55%	12.00%
501-550	0.40%	12.40%
551-600	0.40%	12.80%
601-650	0.40%	13.20%
651-700	0.40%	13.60%
701-750	0.40%	14.00%
751-800	0.40%	14.40%
801-850	0.40%	14.80%
851-900	0.40%	15.20%
901-950	0.40%	15.60%
951-1000	0.40%	16.00%
1001-1050	0.40%	16.40%
1051-1100	0.40%	16.80%
1101-1150	0.40%	17.20%
1151-1200	0.40%	17.60%
1201-1250	0.40%	18.00%
1251-1300	0.40%	18.40%
1301-1350	0.40%	18.80%
1351-1400	0.40%	19.20%
1401-1450	0.40%	19.60%
1451-1500	0.40%	20.00%
1501-1550	0.40%	20.40%
1551-1600	0.40%	20.80%
1601-1650	0.40%	21.20%
1651-1700	0.40%	21.60%
1701-1750	0.40%	22.00%
1751-1800	0.40%	22.40%
1801-1850	0.40%	22.80%
1851-1900	0.40%	23.20%
1901-1950	0.40%	23.60%
1951-2000	0.40%	24.00%
2001+	0.40% Per 50 Units	

Example 1 – 340 dwellings = 10.35% open space.

Example 2 – 723 dwellings = 14.00% open space.

Proposed Number of Dwellings/Units	Total % of Required Open Space
1-6	Exempt

Proposed Number of Dwellings/Units	Total % of Required Open Space **&***
7-50	7.00%
51-100	7.50%
101-150	8.00%
151-200	8.50%
201-250	9.00%
251-300	9.50%
301-350	10.00%
351-400	10.50%
401-450	11.00%
451-500	11.50%
501-550	12.00%
551+	12.50%

Example 1 – 340 dwellings = 10.00% open space.

Example 2 – 723 dwellings would be 12.5% required open space.

January 7, 2020

Mayor and City Council
City of Kuna
751 West 4th Street
Kuna, ID 83634

RE: Proposed Changes to Open Space Requirements

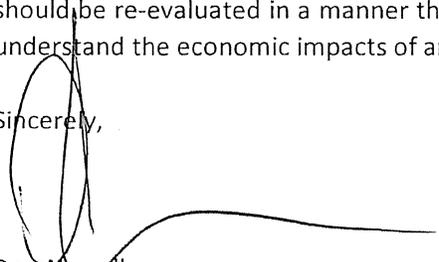
Dear Mayor & Council:

Please accept this letter as written opposition to the open space requirement changes proposed in conjunction with Ordinance 2019-44, which is scheduled before you this evening.

As a land owner and developer with active projects in the City of Kuna, I have an interest in code and ordinance changes that affect development requirements and procedures. In reviewing the proposed ordinance changes and discussing them with other owners and developers in the area, I understand the City's desire to implement open space requirements for development projects and don't oppose the concept. However, the ordinance changes as presently written will place a heavy burden not only on developers, but also on homeowner's associations and homeowners themselves who ultimately must pay to maintain the open spaces provided within their neighborhoods.

As stated, I am in favor of the implementation of an open space policy and believe that well-designed and strategically-placed open spaces can provide excellent benefits for individual neighborhoods and their surrounding communities. However, I believe that the City's current open space proposal is excessive and should be re-evaluated in a manner that allows for public input and the opportunity for the City to truly understand the economic impacts of any open space requirements they choose to impose.

Sincerely,



Don Newell
PO Box 1939
Eagle, ID 83616

Dear Mayor and City Council Members,

I want to express my desire to formally oppose the open space requirements in the draft ordinance scheduled to be on the city council agenda for January 7, 2020.

I fully support the City implementing open space requirements that will mutually benefit the City and its residents while not eliminating the possibility for affordable housing in Kuna. I believe the current proposed resolution will shift exorbitant costs onto land developers and home builders, and ultimately these costs will become the burden of families buying homes in Kuna.

I have been very fortunate to own one of the largest real estate brokerages in Idaho. In 2019 we had the privilege to help of 2,500 families buy and sell homes throughout the Treasure Valley. I know first-hand how hard the run-up in home prices has been over the past five years on families trying to find good communities and homes to live in. Many of these buyers, and especially the native Idahoans, are simply being priced out of 'the American Dream'.

The proposed ordinance will make this problem even worse. Kuna is seen as one of the last beacons of hope for families to buy a high-quality affordable home and still live in a great, safe, exciting, and family oriented community. This ordinance will make it nearly impossible for builders or developers to sell a good product at a reasonable price. Not to mention HOA fees would have to increase substantially to continue to cover the additional expenses that will be incurred.

For land developers the cost will increase which will be passed onto builders and ultimately the consumer. With the increased development cost I would estimate a \$75,000 lot would now cost \$125,000. This would make the finished home price close to \$500,000 on the low end. I Don't think this product would sell in Kuna and as stated before it would make our affordable housing problem much worse.

I am in favor of a reasonable open space plan. I respectfully request the city council reject this ordinance and take more time to assess the overall impact with involvement of all affected parties.

Best Regards,

Sheridan Hodson
Co-Founder EPIC Realty
208 861 8052

Wendy Howell

From: Ryan Hammons <rhammons@tollbrothers.com>
Sent: Tuesday, January 7, 2020 3:55 PM
To: Mayor Stear; Briana Buban-Vonder Haar; Richard Cardoza; Warren Christensen; Greg McPherson
Cc: Wendy Howell; Troy Behunin; Bob Bachman; Paul Stevens
Subject: Proposed Open Space Ordinance

Dear Mayor Stear and City Council Members,

I am writing in regards to the proposed open space ordinance that is to be discussed at tonight's council meeting. We at Toll Brothers fully support the City of Kuna's move to increase the amount of open space in its residential developments. We have made significant investments in the City of Kuna and believe that a well thought out ordinance that improves the overall look and feel of the City would be a significant benefit to residents and business partners like Toll Brothers.

However, I am concerned about the percentage increase in open space as the number of lots increase for the following reasons:

1. It incentivizes developers to break up development in to smaller individual plats. This would increase the administrative burden on the City resulting in longer approval times as well as increased costs.
2. Breaking up larger parcels in to smaller projects leads to poor planning. There are benefits to designing a large master planned community as one cohesive neighborhood.

I encourage to set a reasonable minimum percentage of open space that is the same no matter the size of the project.

Thank you,

RYAN HAMMONS | Senior Division Vice President
Coleman Homes, A Toll Brothers Company
3103 W Sheryl Drive, Suite 100 | Meridian, ID 83642
o: 208.424.0020
mycolemanhome.com

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ADMIRED
COMPANIES

1ST IN HOMEBUILDING
5 YEARS IN A ROW

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Jace Hellman

From: Jace Hellman
Sent: Tuesday, January 7, 2020 5:05 PM
To: Jace Hellman
Subject: FW: Opposition letter for Jan 7th 2020 Meeting

From: Chad McCloud <chad@homesbyepic.com>
Sent: Tuesday, January 7, 2020 4:17 PM
To: Chris Engels <cengels@kunaid.gov>
Subject: Opposition letter for Jan 7th 2020 Meeting

Good afternoon,

Please include this letter in the agenda for Jan 7th meeting. Thank you!

Mayor and City Council Members.

As an owner of one of the largest Real Estate Brokerages in the Valley. I want to formally oppose the open space requirements in the draft ordinance scheduled to be on the city council agenda for January 7, 2020.

I fully support the City implementing open space requirements that will mutually benefit the City and its residents while not eliminating the possibility for affordable housing in Kuna.

As a real estate professional, I have seen the struggles that local, born and raised residents are having when it comes to finding affordable housing. Many of them are simply being priced out of 'the American Dream'. The proposed ordinance will make this problem even worse. Kuna is the last affordable option in ADA county and this ordinance will make it nearly impossible for builders or developers to sell a good product at a reasonable price. Not to mention HOA fees would have to increase, adding to the total cost per month for the resident.

For land developers the cost will increase which will be passed onto builders and ultimately the consumer. With the increased development cost I would estimate a \$75,000 lot would now cost \$125,000. This would make the finished home price close to \$500,000 on the low end. I Don't think this product would sell in Kuna and as stated before it would make our affordable housing problem much worse.

I am in favor of a reasonable open space plan. I respectfully request the city council reject this ordinance and take more time to assess the overall impact with involvement of all affected parties.

Best Regards,

Chad McCloud

Chad McCloud
Realtor/ Co-Founder
EPICRealty
C:208-901-5380
O:208-576-4717

Mayor and City Council Members.

As Member/Manager of several legal entities all owning land within the city of Kuna I want to formally oppose the open space requirements in the draft ordinance scheduled to be on the city council agenda for January 7, 2020.

First, I fully support the City implementing open space requirements that will mutually benefit the City and its residents without unreasonable burden on landowners and developers. I do not believe this ordinance benefits either.

On February 5th, 2019, Kuna adopted ordinance 2019-04. Ordinance 2019-04 focused on changing the allowed uses in the C-1 Zone and was fast-tracked by the Council to stop residential projects in commercial zones. Buried in the fine print of that same ordinance was a 13-word sentence that significantly impacts all residential development. It states there shall be: "A minimum of 5% useable open space per 50 dwellings in residential developments". Because of the politics regarding the C-1 allowed uses, the mass of the document and the fine print regarding open space, the open space requirement was adopted without any input from the development community, without any economic study, and without any review or discussion by the Council.

Ordinance 2019-04 imposes the most aggressive open space ordinance in Ada County that I am aware of. It is also fatally flawed because the formula, 5% per 50 dwellings, requires 50% open space in a 500-dwelling plat or 100% open space in a 1,000-dwelling plat. Comments from staff at prior hearings recognize the City's first attempt at an open space requirement is "not workable".

Another ordinance was produced to revise the City open space calculation. It went to P&Z in June, again without any economic study, public discussion, or input from the development community or impacted land holders. P&Z made a recommendation of approval. This ordinance, however, never made it to the Council because it was poorly worded and ambiguous.

The ordinance on the agenda for January 7, 2020, is the second attempt to overhaul the City's open space calculation. The proposed formula requires increased open space with no cap as projects propose more units and results in outrageous amounts of open space for large projects. Attached hereto as exhibit 4 is the open space table proposed by the draft ordinance. As you can see, projects with 2000 units will require 24% open space. For comparison, Meridian only requires 5% for large lot projects and 10% for denser projects.

I am curious how this open space formula was developed. When the City updated our comp plan there was over a year of studies, surveys, public input, business input, developer input, workshops, etc. I would submit that this open space requirement is just as significant of a decision and yet there was no involvement with any of the community. Specifically, none of the owners of land that might be developed were involved.

Within the current comp plan Kuna developed Goal 2.B (Maintain and expand parks and public gathering spaces) exhibit 5. Within 2.B the plan states "the city of Kuna's level of service goal is one acre of park land for every 80 residents". This goal is unreasonably aggressive. Please note the following examples for comparison:

The city of Eagle's park level of service goal is 3.3 Acres per 1,000 population or one acre per 303 population.

The city of Meridian's CIP reports a standard of service of 3.04 acres per 1,000 residents or one acre per 329 residents.

Kuna's unreasonable goal is 378% more than Eagle and 411% more than Meridian.

Goal 2.B of the comp plan also states "In August 2016, the city of Kuna adopted a park impact fee to help build and establish new parks. The impact fees will generate approximately \$1,595,320 for park land **acquisition, maintenance and improvements**".

In order to implement an equitable impact fee system for the parks and recreational facilities, the city adopted by resolution dated June 7, 2016, the City of Kuna, *Idaho Capital Improvements Plan, and Park Impact Fee Calculation Study* (study). The study was prepared by city staff, as qualified professionals in finance, engineering, planning and transportation.

The study sets forth reasonable methodologies and analyses for determining the impacts of various types of new development on the parks and recreational facilities and determines the cost of acquiring or constructing the improvements necessary to meet the demands for such facilities created by new development.

It has been suggested that the open space ordinance is consistent with the comp plan goal for park land. Contradicting the comp plan that relies on the Park Impact Fee to achieve the Park Land Goal and the goal of the park impact fee for determining the impacts of various types of new development on the parks and recreational facilities, and determines the cost of acquiring or constructing the improvements necessary to meet the demands for such facilities created by new development.

This open space ordinance is a double dip. It does not increase parks or public gathering spaces. Therefore, it is not facilitating the goals of the comp plan. It creates private open space that will be owned and maintained by the controlling Homeowners Association. It will be private and for the exclusive use of the members of the association. Excessive open space owned and maintained by a HOA imposes excessive maintenance burden on the members. This excess burden could easily increase HOA maintenance costs by 12 times. As soon as the members obtain control of the association, they will vote to reduce their budget by terminating maintenance of the excess open space. They will maintain only the open space they regularly use, and the surplus will be allowed to die.

To my knowledge, there was no economic study completed to understand the effects of the proposed open space calculations. This needs to be studied because it will have a significant impact on the economics of the City and the costs of homeownership in Kuna. Requiring such large areas of open space will dramatically increase the price of building lots in the City, I estimate by up to 60% or (\$40,000 - \$60,000 per lot). This is due to the higher cost of land resulting from the total land cost being applied only to the land receiving dwellings, running utilities through and around open space, and developer costs to install open space landscaping. The maintenance cost imposed on ACHD to maintain and repair roadways to, through and around open space that does not pay taxes. The installation and maintenance cost of all utilities that would be required to stretch around the open space. If a project requires 24% open space, my calculations show that home prices in such a development could be as much as \$200,000 higher for the same product. Prices will exceed Meridian and maybe Eagle and Boise.

An economic study is also important because this open space ordinance will cost homeowners millions of dollars in additional HOA assessments to maintain these large areas of open space. Lastly, this ordinance will dramatically decrease the city's tax revenue because common area and open space are not assessed by Ada County. Thus, in a 2000-unit development, approximately 1/4 of the area would not generate tax revenue for the city.

This proposed ordinance is also biased against larger developments and landowners. The City's ordinance should treat landowners equally and fairly. The proposal also creates more open space for less dense projects, which makes no sense. As projects get denser there should be more open space. Meridian's code recognizes this.

Attached are several exhibits showing bias against larger low-density developments:

Exhibit 1 quadrant 1A

A 2000 lot subdivision on 640 acres would result in 3.125 DUGA and require 153.6 acres open space.

Exhibit 1 quadrant 1B

A 2000 lot subdivision on 500 acres would result in 4 DUGA and require 120 acres open space.

Exhibit 1 quadrant 1C

A 2000 lot subdivision on 333.33 acres would result in 6 DUGA and require 80 acres open space.

Exhibit 1 quadrant 1D

A 2000 lot subdivision on 250 acres would result in 8 DUGA and require 60 acres open space.

A 2000 lot subdivision on 200 acres would result in 10 DUGA and require 48 acres open space. This example is not on the exhibit, but I think you get the point.

5 scenarios all with 2000 lots and open space ranging from 48 to 153.6 acres.

The proposed ordinance encourages higher density and smaller lots. It also encourages piecemeal development to avoid the higher open space thresholds.

These examples are based on a square mile:

Exhibit 2 quadrant 2A

A square mile developed in 32 plats of 20 acres each at 6 DUGA will generate 3840 lots and require 30.08 acres open space.

Exhibit 2 quadrant 2B

A square mile developed in 16 plats of 40 acres each at 6 DUGA will generate 3840 lots and require 51.84 acres open space.

Exhibit 2 quadrant 2C

A square mile developed in 32 plats of 20 acres each at 4 DUGA will generate 2560 lots and require 19.2 acres open space.

Exhibit 2 quadrant 2D

A square mile developed in 16 plats of 40 acres each at 4 DUGA will generate 2560 lots and require 40.96 acres open space.

Exhibit 3 quadrant 3A

A square mile in a single plat at 6 DUGA will generate 3840 lots and require 247.80 acres open space. (yes, that is 38.72%)

While some current subdivisions may comply with this open space plan and while some of these scenarios may not have occurred, all of these scenarios are possible and should be considered.

This will result in large parcels being sold off in pieces or developed in smaller parcels as smaller subdivisions.

As a said, I am in favor of a reasonable open space plan. I respectfully request the city council reject this ordinance and Instruct staff to reassess the open space calculation. I would submit that this process should include public involvement from the residents, development community and all landowners. It should also include an economic study to obtain an understanding of the cost to landowners, cost to developers, costs to HOAs, and the loss of Tax revenue. Then formulate an open space plan accordingly.

Sincerely:

Timothy W Eck

Please consider this letter of opposition as being submitted individually from each of the following entities each holding large parcels of land in Kuna:

Arroyo Indio Farm LLC
Bodahl Farm LLC
Mason Creek Farm LLC
N Star Farm LLC
NE Kuna Farm LLC
Pawnee Farm LLC
Renascence Farm LLC
South Farm LLC
Thistle Farm LLC
Urza Farm LLC
Vanderkooy Farm LLC
Waters Edge Farm LLC
DB Development
Endurance Holdings
Viper Investments
Challenger Development
CBH Homes

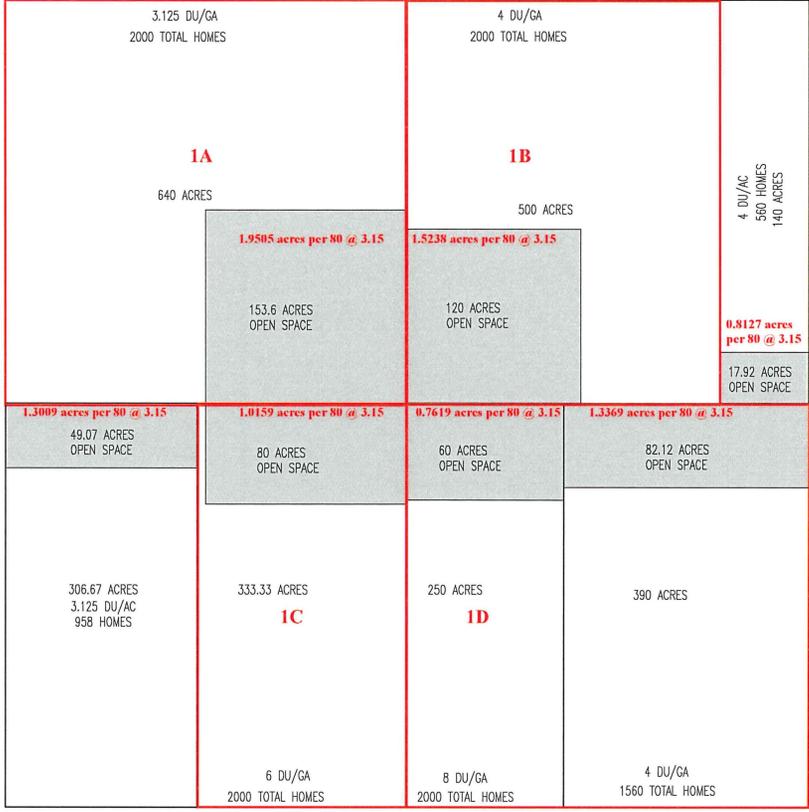


EXHIBIT 1

2,000 homes
153.6 acres open space

4 SQUARE MILE AREA

2,560 homes
137.92 acres open space



2958 homes
129.07 acres open space

3,560 homes
142.12 acres open space

Summary
567.11 ACRES TOTAL OPEN SPACE
21.888 ACRES OPEN SPACE

Notes
1. THE OPEN SPACE CALCULATIONS CONSIDER CROSS-DEVELOPMENT DENSITY FOR THE BULK LAND AREAS.



City of Kuna
Open Space Assessment Sketch

REV.	DATE	DESCRIPTION

DATE: 11/15/2011
PROJECT: CITY OF KUNA
DRAWN BY: [Name]
CHECKED BY: [Name]
SCALE: AS SHOWN

EXHIBIT 5

Goal 2.B Maintain and expand parks and public gathering spaces.

New development puts a demand on existing parks and public spaces; as Kuna continues to grow, its parks system will necessarily expand to meet citizens' needs to recreate, socialize, gather, play and be active. There are 113 acres of City parks in Kuna in 17 locations (four bare ground neighborhood playgrounds, nine neighborhood parks and four specialized recreation areas). In August 2016, the city of Kuna instituted a park impact fee to help build and establish new parks. The impact fees will generate approximately \$1,595,320 for park land acquisition, maintenance, and improvements. As of August 2016, there was one acre of park and recreation space for every 105 residents in Kuna; the city of Kuna's level of service goal is one acre of park land for every 80 residents.



Troy Behunin

From: Timothy Eck <timothyeck@me.com>
Sent: Tuesday, January 07, 2020 4:39 PM
To: Troy Behunin
Subject: Open Space

Troy:

I have seen the the amended open space schedule. It is greatly improved but they should count all open space including end caps and landscape buffers. Some argue that the end caps and landscape buffers are not usable but that is wrong. All end caps and landscape buffers include 5' - 8' sidewalks. That makes them Quite usable.

TE



CITY OF KUNA

751 W. 4th Street • Kuna, Idaho • 83634 • Phone (208) 922-5546

Fax: (208) 922-5989 • www.kunacity.id.gov

PUBLIC HEARING SIGN-UP SHEET

Kuna City Council Meeting 6:00 p.m.

September 3, 2019

New Water and Sewer System Fees and Policies Resolution No.s R01-2020 and R02-2020

Please print your name below if you would like to present oral testimony or written exhibits about this item to the City Council.

IN FAVOR	NEUTRAL	IN OPPOSITION
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Testify Not Testify

Print Name

Print Address

City State, Zip

Testify Not Testify

Print Name

Print Address

City State, Zip

Testify Not Testify

Lane Coumerill

Print Name

935 Strike Way

Print Address

Kuna ID 83634

City State, Zip

Testify Not Testify

Print Name

Print Address

City State, Zip

Testify Not Testify

Print Name

Print Address

City State, Zip

Testify Not Testify

Jim EBERHARD

Print Name

332 E. NORTHRIDGE DR

Print Address

KUNA ID 83634

City State, Zip

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Print Address

City State, Zip

From: Jim E. <tracerjim@yahoo.com>

Sent: Monday, January 6, 2020 7:27 AM

To: Mayor Stear <mayorstear@kunaid.gov>; Richard Cardoza <rcardoza@kunaid.gov>; Briana Buban-Vonder Haar <bbuban@kunaid.gov>; Greg McPherson <gmcpherson@kunaid.gov>; Lisa Holland <lholland@kunaid.gov>; wchristesen@kunaid.gov

Cc: smcintosh@idahostatesman.com; Christina Lords <clords@idahostatesman.com>; news@kboi2.com; news@kivitv.com

Subject: Kuna Water Billing Practices

Hi all. Since I will be allowed 3 minutes to speak at the council meeting I am going to try explaining myself before the meeting.

I have invested a lot of my time and money into making my home efficient in terms of resources needed to be comfortable, affordable and, good for the environment.

Things I have done to help conserve resources and make life comfortable include installing high efficiency heating, cooling and water heating systems. Properly venting, then insulating my attic. My home is 2000 sq. feet single level. My level pay natural gas bill is \$34, electric is \$33, my Kuna water bill is \$43.63. How do these amounts compare to yours? Do you know what yours are?

My water heater is natural gas, tankless with built in circulator. What this means is, the burner is 98% efficient. It only runs when water is flowing and less than 125 deg F. I am not storing 50 gallons of 145 deg F water like most people. The higher temperature is so they don't "run out of hot water". This type of water heater also cools all 50 gallons while the burner is not operating, about 18 hours every day. The average household spends \$400-\$600 annually heating it's water, according to Energy.gov. During the 3 months the furnace does not operate, (June, July, August) my natural gas usage is \$1/month. Efficiency pays, usually. Not in Kuna. The USGS says the average usage per person in the U.S. is 84 gallons. But in Idaho it is 142 gallons. That's embarrassing. I don't know what all goes into how those amounts are calculated, but that is a huge difference, regardless. I am sure that one of the reasons Idaho consumption is so high, is how water is billed. The current method does nothing to incentivize conservation, nothing.

Take a look at the attached files. I have summarized my water bills for 3 years. In 2017 there were 3 people living here. Note the far right column, it is G/Day/occ. That is gallons per day per occupant in my home for each month. Half the national average. Now look at the 2019 sheet. I started to do everything I could imagine to reduce my water consumption. Again, look at the far right column. The month I was able to get below 1000 gallons for the month my G/Day/Occ was 30 gallons! Yet my monthly bill remained \$43.63.

In July I started to do nothing to conserve water. Each subsequent month I did more and more to use more and more water. In December I got desperate to raise the amount used. Here is what I did. Each morning I read headlines and then the stories that interest me. It takes 1 1/2 to 2 hours to finish. Before sitting down to read I opened the kitchen faucet. When I finished, I closed the faucet. That is the only way I am able to get the cost per gallon reduced. Use more! And that used just over half the 10,000 I gallons a month I pay for. Currently I am paying for nearly a years' worth of water every month. In 2019 I used 21,300 gallons, total. I paid for 120,000 gallons.

Kuna water meter resolution is down to 50 gallons. Electric meters resolution is 0.0001 KWh, gas meters 0.1 cubic foot. Gas is billed in 1.0 cubic feet. Electricity is billed in 1.0 KWh. This method shows that the more you use, the more it costs. Why doesn't Kuna bill water the same way? I have to use more to show a reduction in cost per unit,(gallon), but no change in the amount billed.

How would you feel if after buying a new high mileage car and after filling the tank, you paid for 100 gallons of gas, every time you filled up, regardless of the actual amount of gas used? Unless you used more than 100 gallons. That is how Kuna bills me for my water. Why bother opening and closing the faucets? Opening and closing them wears the valves out, takes time and effort on my part. I am going to stop wearing my faucet valves out and just plain get lazy. It will cost me less in the long run! No plumber bills for replacing worn faucets. Not to mention, letting them drip. Why repair them, it will only cost me.

Kuna has everything in place to bill according to usage. This has far ranging benefits. If people realized less usage meant less \$\$ month for water, they would use less. As the population grows and usage went down, new wells may not be required. Well pumps run less and last longer. Water treatment plants won't need to be expanded, or new ones built. The environment wins on some many levels.

Finally, I researched the cost of water in 3 cities. For 1,500 gallons Chicago \$23.28, Las Vegas \$34.93, L.A. \$47.49, U.S. average \$35.49. Kuna \$43.63. Only L.A. is more expensive. Why? Electricity and labor are half that of any of the cities I listed. Why is water so expensive in Kuna?

In summary, questions I would like answered during my 3 minutes tonight are:

- * Compare your personal utility bills to mine, do they come close to mine?
- * Why is the cost of water in Kuna so high? Chicago, \$23.28, L.A. \$47.49.
- * What factors are used to calculate the rate?
- * Why not bill for the actual amount used. Tiered rates do nothing to encourage conservation.
- * Why isn't electronic billing an option?
- * New connection fees reflect the true cost of growth?
- * How are the meters read?
- * When do water meters get calibrated?

Thank you for your time.

Sincerely,

Jim Eberhard

208 713 5163

Don't wait for the Storm to pass, Learn to Dance in the Rain!

Kuna Water Billing 2018

Prev	Pres	Days	Usage	Occ	G/Occ	Billed	\$/100 Gallons	G/Day/Occ
12/27/2016 47895	1/25/2017 48195	29	3000	3	1000	\$ 42.50	\$1.42	34.48
1/25/2017 48195	2/22/2017 48540	28	3450	3	1150	\$ 42.50	\$1.23	41.07
2/22/2017 48540	3/28/2017 49000	34	4600	3	1533	\$ 42.50	\$0.92	45.10
3/28/2017 49000	4/25/2017 49405	28	4050	3	1350	\$ 42.50	\$1.05	48.21
4/25/2017 49405	5/24/2017 49750	29	3450	3	1150	\$ 42.50	\$1.23	39.66
5/24/2017 49750	6/26/2017 50120	33	3700	3	1233	\$ 42.50	\$1.15	37.37
6/26/2017 50120	7/25/2017 50360	29	2400	2	1200	\$ 42.50	\$1.77	41.38
7/25/2017 50360	8/24/2017 50580	30	2200	2	1100	\$ 42.50	\$1.93	36.67
8/24/2017 50580	9/25/2017 51030	32	4500	3	1500	\$ 42.50	\$0.94	46.88
9/25/2017 51030	10/30/2017 51470	35	4400	3	1467	\$ 42.50	\$0.97	41.90
10/30/2017 51470	11/27/2017 51880	28	4100	3	1367	\$ 43.63	\$1.06	48.81
11/27/2017 51880	12/26/2017 52215	29	3350	3	1117	\$ 43.63	\$1.30	38.51
Averages			3600		1263.9		\$1.25	41.67

Kuna Water Billing 2018

Prev	Pres	Days	Usage	Occ	G/Occ	Billed	\$/100 Gallons	G/Day/Occ
12/26/2017 52215	1/25/2018 52710	30	4950	5	990	\$ 43.63	\$0.88	33.00
1/25/2018 52710	2/22/2018 53040	28	3300	4	825	\$ 43.63	\$1.32	29.46
2/22/2018 53040	3/27/2018 53135	33	950	1	950	\$ 43.63	\$4.59	28.79
3/27/2018 53135	4/26/2018 53255	30	1200	1	1200	\$ 43.63	\$3.64	40.00
4/26/2018 53255	5/24/2018 53415	28	1600	1	1600	\$ 43.63	\$2.73	57.14
5/24/2018 53415	6/26/2018 53576	33	1610	1	1610	\$ 43.63	\$2.71	48.79
6/26/2018 53576	7/25/2018 53730	29	1540	1	1540	\$ 43.63	\$2.83	53.10
7/25/2018 53730	8/28/2018 53920	34	1900	1	1900	\$ 43.63	\$2.30	55.88
8/28/2018 53920	9/24/2018 54040	27	1200	1	1200	\$ 43.63	\$3.64	44.44
9/24/2018 54040	10/26/2018 54250	32	2100	2	1050	\$ 43.63	\$2.08	32.81
10/26/2018 54250	11/26/2018 54430	31	1800	1.5	1200	\$ 43.63	\$2.42	38.71
11/26/2018 54430	12/26/2018 54580	30	1500	1	1500	\$ 43.63	\$2.91	50.00
Averages			1971		1297		\$2.67	42.68

Kuna Water Billing 2019

Prev	Pres	Days	Usage	Occ	G/Occ	Billed	\$/100 Gallons	G/Day/Occ
12/26/2018 54580	1/24/2019 54695	29	1150	1	1150	\$ 43.63	\$3.79	39.66
1/24/2019 54695	2/25/2019 54845	32	1500	1	1500	\$ 43.63	\$2.91	46.88
2/25/2019 54845	3/25/2019 54975	28	1300	1	1300	\$ 43.63	\$3.36	46.43
3/25/2019 54975	4/24/2019 55100	30	1250	1	1250	\$ 43.63	\$3.49	41.67
4/24/2019 55100	5/23/2019 55200	29	1000	1	1000	\$ 43.63	\$4.36	34.48
5/23/2019 55200	6/24/2019 55320	32	1200	1	1200	\$ 43.63	\$3.64	37.50
6/24/2019 55320	7/24/2019 55410	30	900	1	900	\$ 43.63	\$4.85	30.00
7/24/2019 55410	8/26/2019 55520	33	1100	1	1100	\$ 43.63	\$3.97	33.33
8/26/2019 55520	9/24/2019 55685	29	1650	1.5	1100	\$ 43.63	\$2.64	37.93
9/24/2019 55685	10/28/2019 55965	34	2800	2	1400	\$ 43.63	\$1.56	41.18
10/28/2019 55965	11/21/2019 56215	24	2500	1	2500	\$ 43.63	\$1.75	104.17
11/21/2019 56215	12/23/2019 56710	32	4950	1	4950	\$ 43.63	\$0.88	154.69
Averages			1775		1612.5		\$3.10	53.99



Water Rates Dashboard

This interactive graphic shows eight years of water rates data from 30 major U.S. cities. The graphs above show average monthly residential water prices for three levels of consumption (top) and the annual percent change (bottom). Use the buttons on the left side to show the same data for a single year or city.

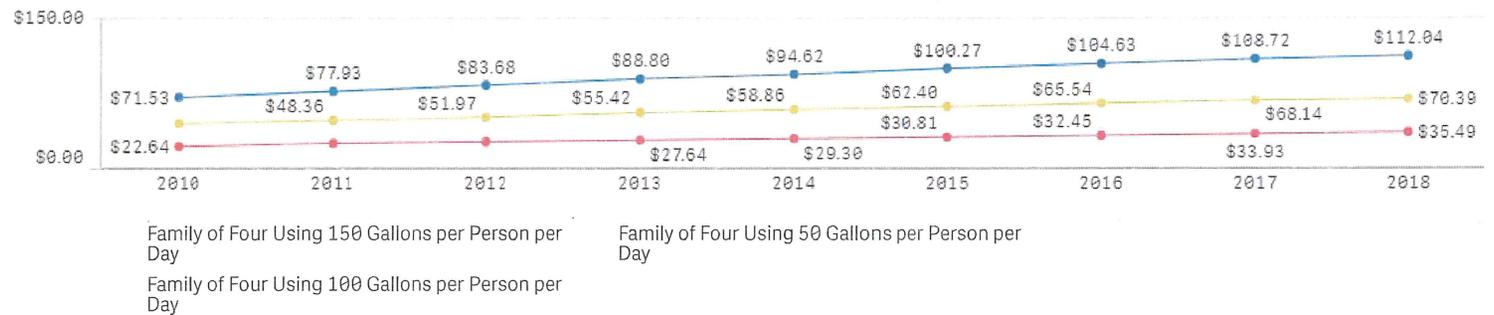
CLEAR ALL

Year

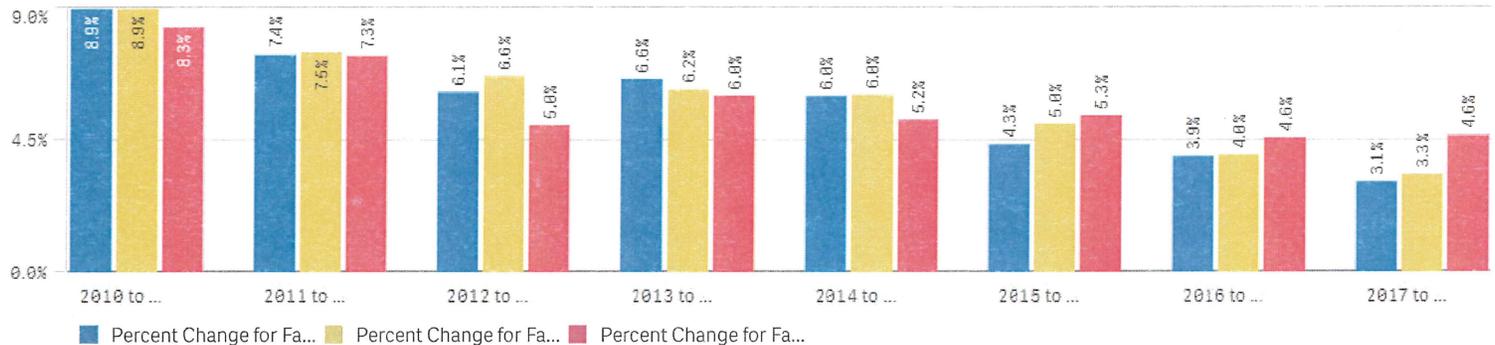
- 2018
- 2017
- 2016
- 2015
- 2014
- 2013
- 2012
- 2011

Select City ▾

Average Monthly Cost of Water



Annual Percent Change for Monthly Cost of Water





Water Rates Dashboard

This interactive graphic shows eight years of water rates data from 30 major U.S. cities. The graphs above show average monthly residential water prices for three levels of consumption (top) and the annual percent change (bottom). Use the buttons on the left side to show the same data for a single year or city.

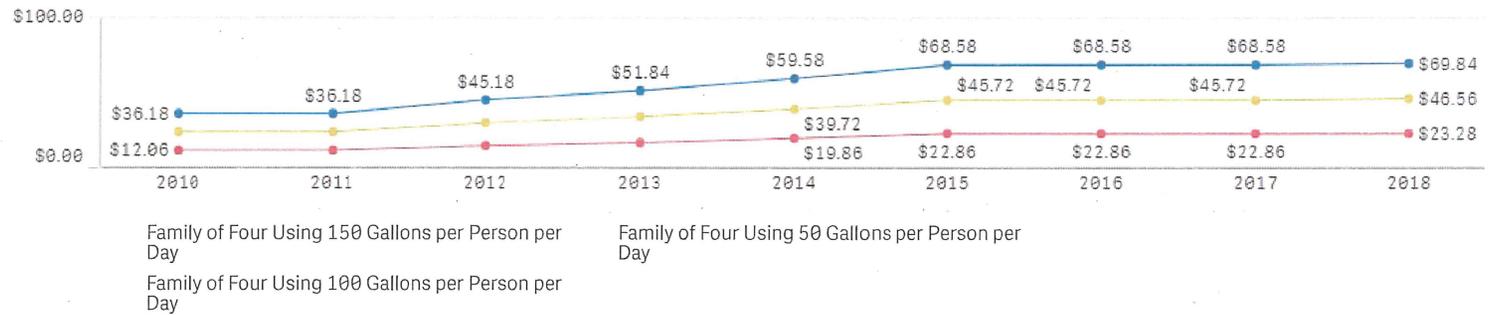
CLEAR ALL

Year

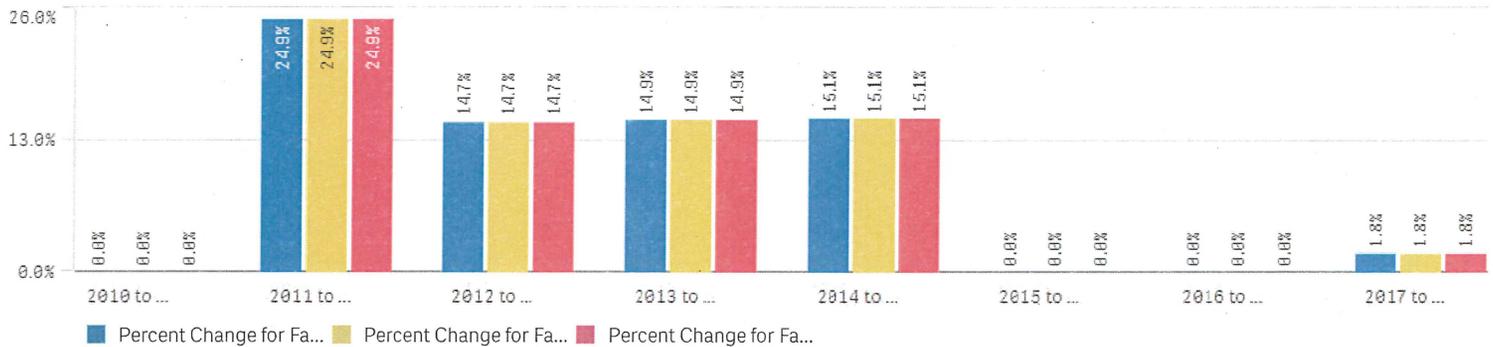
- 2018
- 2017
- 2016
- 2015
- 2014
- 2013
- 2012
- 2011

Chicago

Average Monthly Cost of Water



Annual Percent Change for Monthly Cost of Water





Water Rates Dashboard

This interactive graphic shows eight years of water rates data from 30 major U.S. cities. The graphs above show average monthly residential water prices for three levels of consumption (top) and the annual percent change (bottom). Use the buttons on the left side to show the same data for a single year or city.

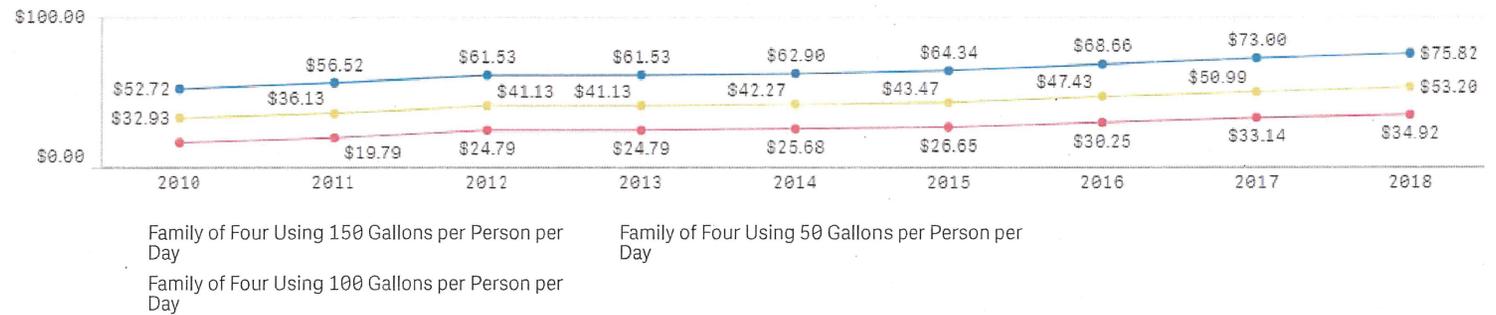
CLEAR ALL

Year

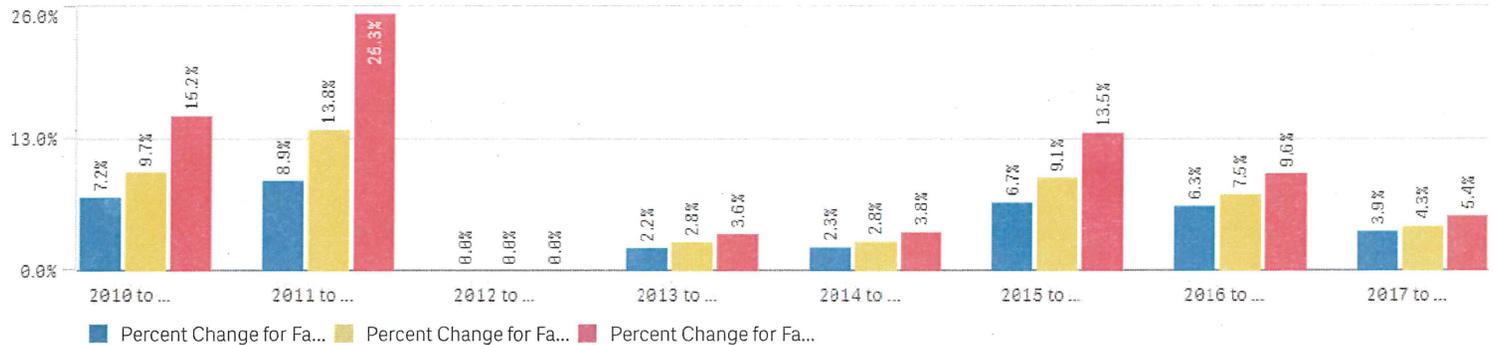
- 2018
- 2017
- 2016
- 2015
- 2014
- 2013
- 2012
- 2011

Las Vegas

Average Monthly Cost of Water



Annual Percent Change for Monthly Cost of Water





Water Rates Dashboard

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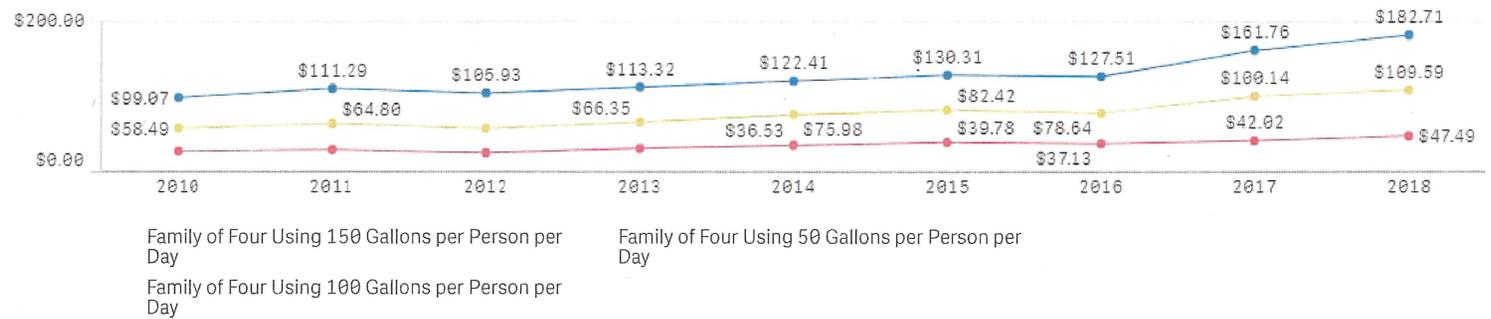
CLEAR ALL

Year

- 2018
- 2017
- 2016
- 2015
- 2014
- 2013
- 2012
- 2011

Los Angeles ▾

Average Monthly Cost of Water



Annual Percent Change for Monthly Cost of Water

